

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAVIER DIAZ,

Defendant.

) 2:11-CR-116-RLH (CWH)
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FINAL ORDER OF FORFEITURE

On January 17, 2012, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); and Title 21, United States Code, Section 2253(a)(1) and (a)(3), based upon the plea of guilty by defendant JAVIER DIAZ to a criminal offense, forfeiting specific property alleged in the Criminal Indictment, set forth in the Bill of Particulars, and agreed to in the Plea Memorandum, and shown by the United States to have the requisite nexus to the offense to which defendant JAVIER DIAZ pled guilty. Indictment, ECF No. 1; Bill of Particulars, ECF No. 15; Minutes of Change of Plea Proceedings, ECF No. 27; Preliminary Order of Forfeiture, ECF No. 28; Plea Memorandum, ECF No. 29.

This Court finds the United States of America published the notice of the forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from January 19, 2012, through February 17, 2012, notifying all third parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 30.

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This Court finds no petition was filed herein by or on behalf of any person or entity and the time for filing such petitions and claims has expired.

This Court finds no petitions are pending with regard to the assets named herein and the time for presenting such petitions has expired.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the property hereinafter described is condemned, forfeited, and vested in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); and Title 18, United States Code, Sections 2253(a)(1) and 2253(a)(3) and shall be disposed of according to law and shall be disposed of according to law:

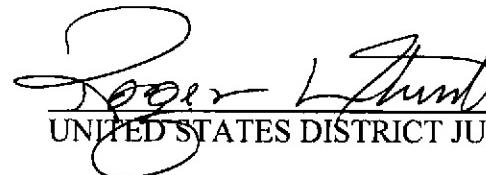
- a) all visual depictions described in Title 18, United States Code, Section 2251, 2251A, 2252, and 2252A and all items containing such visual depictions, which were transported, shipped and received in violation of Title 18, United States Code, Section 2252A and all property, real and personal, used and intended to be used to commit and promote the commission of the aforestated offense, including but not limited to, the following properties: computer images, including movie files, depicting a minor engaging in sexually explicit conduct and the diskettes and hard drives on which they are maintained;
 - b) HP Pavillion computer, serial number MXXV94305QR;
 - c) Gateway computer, serial number 0027660668;
 - d) Toshiba laptop computer, serial number 94384034K;
 - e) Apple iPhone, serial number Unknown; and
 - f) Sony cyber digital camera, serial number 6725579.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as any income derived as a result of the United States of America's management of any property

1 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
2 according to law.

3 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
4 certified copies to the United States Attorney's Office.

5 DATED this 30 day of May, 2012.
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8 UNITED STATES DISTRICT JUDGE
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